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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 JAMES SCOTT ALVA,

12 Plaintiff,

13 v.

14 STATE OF CALIFORNIA, et al.,

15 Defendant.  
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Case No. 1:24-cv-0686 JLT SKO

ORDER DISMISSING ACTION WITHOUT  
PREJUDICE FOR PLAINTIFF'S FAILURE TO  
PAY FILING FEE

17 On October 21, 2024, the Court found Plaintiff is subject to the three strikes bar of 28  
18 U.S.C. § 1915 and he was not in imminent danger of serious physical injury. (Doc. 19.) Despite  
19 the Court's warning that failure to pay the filing fee would result in dismissal (*id.* at 2), Plaintiff  
20 failed to pay the required fee. Without such payment, the action cannot proceed before the Court.  
21 *See Saddozai v. Davis*, 35 F.4th 705, 709 (9th Cir. 2022). Thus, the Court **ORDERS**:

- 22 1. The action is **DISMISSED** without prejudice.  
23 2. The Clerk of Court is directed to close this case.  
24

25 IT IS SO ORDERED.

26 Dated: **November 26, 2024**

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28 UNITED STATES DISTRICT JUDGE